

# TITLE 5

---

## Public Safety

<b>Chapter 1</b>	Law Enforcement
<b>Chapter 2</b>	Fire Protection
<b>Chapter 3</b>	Fire Protection and Life Safety
<b>Chapter 4</b>	Regulation of Private Alarm Systems
<b>Chapter 5</b>	Emergency Government

## Title 5 ► Chapter 1

---

# Law Enforcement

- 5-1-1 Organization and Personnel of Police Department
- 5-1-2 Records and Reports
- 5-1-3 General Powers of Police Officers
- 5-1-4 Responsibilities of Chief of Police
- 5-1-5 Rules and Policies for the Police Department
- 5-1-6 Maintenance of Personnel Records and Performance Evaluations
- 5-1-7 Police Chief's Responsibility for Training
- 5-1-8 Civilians to Assist
- 5-1-9 Hearing Authorities for Suspension or Removal of Law Enforcement Officers

### Sec. 5-1-1 Organization of and Personnel of Police Department.

- (a) **Generally.** The Village of Butler Police Department shall consist of a Chief of Police and such other full or part-time officers, assistants and patrol officers as prescribed by the Village Board pursuant to the provisions of the Wisconsin Statutes.
- (b) **Appointment.**
  - (1) **Eligibility List.** The Chief of Police and each Police Officer shall be appointed by the Village Board from an eligible list of qualified persons for such position, which shall be established pursuant to Ch. 66.0509, Wis. Stats. Each appointment shall be made from the three (3) persons ranking highest on the eligible list who are available.
  - (2) **Establishing Eligibility.** Whenever a vacancy shall occur in the position of Chief of Police or Police Officer and no eligible list exists for either of such positions, an examination or examinations shall be conducted by the Public Safety Committee of the Village Board. Public notice shall be given by posting on the Village bulletin boards and a public advertisement shall be carried in a local newspaper of each such vacancy.
  - (3) **Qualifications.** Qualifications for members of the Police Department are as follows:
    - a. Each applicant for Police Officer shall have graduated from high school or its equivalent, be eighteen (18) years of age or older, a citizen of the United States,

have a valid Wisconsin Driver's License, and be certified by the State of Wisconsin Law Enforcement Standards Board.

- b. In addition to the qualifications for Police Officer, applicants for Chief of Police must have a minimum of ten (10) years' experience as a law enforcement officer and a minimum of an Associate of Arts Degree in Police Science or related field and be able to demonstrate leadership and administrative ability. Applicants for other supervisory positions must have a minimum of five (5) years' experience as a law enforcement officer and a minimum of an Associate Arts Degree in Police Science or related field.
- (4) **Examinations.** The examination for each eligible list shall be conducted as follows:
- a. Each applicant for a position in the Police Department shall file with the Public Safety Committee, on forms provided by the Committee, a statement under oath giving complete information as to the date and place of birth, name of each parent, each residence and occupation during the preceding ten (10) years, education, and such other information as shall be required. Such application shall state that the applicant swears or affirms that he/she is in sound physical health without disability and capable of performing the exacting duties of a member of the Police Department. A clear set of finger prints of each applicant shall be forwarded by the Committee to the Federal Bureau of Investigation for investigation. The FBI report shall be filed with the application as a permanent record. Any false statement on the application or any criminal record other than minor traffic offenses shall automatically bar the applicant or if discovered subsequent to appointment, shall automatically vacate his/her appointment.
  - b. Each applicant who files the required statements and who qualifies under this Chapter may be subjected to a written exam. The questions on this exam must have been demonstrated to be job-related. Those applicants who pass this examination shall be eligible for further examination.
  - c. Further, each applicant may be subject to a physical performance test. The purpose of the physical agility evaluation is intended to demonstrate an applicant's coordination, mobility of limbs, and stamina at a minimal level related to job tasks and duties. Ordinary police duty requires physical exertion in accident investigation, prolonged periods of traffic direction, physical arrest of violators presenting imminent danger to themselves or others, and self-defense. Coordination and agility are required in rescue and aid of the injured. It is also required for motor vehicle operation over prolonged periods during adverse weather. Coordination, mobility, and stamina are needed in the performance of one's duty as a Butler Police Officer.
  - d. Each candidate must file with the Committee on a form furnished by the Village a signed written report by a physician licensed to practice medicine and surgery in the State of Wisconsin stating that a complete and thorough physical

examination made by him/her within ten (10) days prior to filing of the application discloses that the applicant is free from any deformity or physical defect, is not afflicted with any communicable, parasitic, or chronic disease, and shows no evidence of intemperance in the use of stimulants or drugs; that the applicant is not subject to obesity, muscular weakness or poor physique; that the blood pressure is normal; that each eye has a vision of at least 20/30 with the use of glasses; that each ear is normal and capable of hearing ordinary conversation at fifteen (15) feet; and that the strength activity, and physical capacity of the applicant indicates that he/she is sound in all respects and physically qualified for the exacting requirements of police duty.

- e. Each applicant who has met the foregoing requirements shall be given an oral examination by the Examining Committee to help determine suitability as a Police Officer. Personal and professional skills will be the scope of this examination. Personal skills are to include but are not limited to the applicant's appearance, approach, poise, response, ability to communicate orally, and other personal skills as determined by the Examining Committee. Professional skills are to test those things learned through experience or education such as knowledge of law, familiarity with police procedures, powers of observation, memory, and knowledge of the community. The Examining Committee shall also conduct such character investigations as it shall deem essential. The Committee may, in the discharge of its duties, make use of such expert assistance as is available, and incur such expenses as are approved by the Village Board.
- (5) **Grading Applicants.** Upon completion of the examination and investigation process, the Examination Committee shall grade, rank, and submit to the Village Administrator a report showing the grade and rank of each applicant judged suitable for employment. Such eligible list shall be effective for one (1) year after the date of the Examining Committee's report to the Village Board, but it may be extended by the Village Board upon recommendation of the Police Chief.
- (6) **Temporary Appointments.** Each appointment by the Village Board of a member of the Police Department shall be provisional for one (1) year. During such period, each appointee shall temporarily possess all the powers of the position to which appointed, but he/she shall not be a permanent member of the Police Department. Any such provisional appointment may be terminated at any time during such one (1) year period by filing a written notice with the Village Administrator, by the Village Board in the case of a Chief of Police, or by the Chief of Police, subject to the approval of the Village Board, in the case of a Police Officer. At the end of such one (1) year period, such appointee shall become a regular member of the Department, if there has been filed with the Village Administrator a written statement certifying that such appointee is fit to be a permanent appointee. Such statement shall be filed by the Village Board in the case of the Police Chief and by the Chief of Police with the endorsement of the Village Board in the case of a Police Officer.

- (7) **Medical Certificates.** At any time, but not more than once in any calendar year, the Village Board may require any member of the Police Department to file with the Village Administrator a medical certificate as provided in this Section. If such certificate shall disclose that the Department member is for any reason, other than that of a temporary nature, not sound in all respects and not physically qualified for the exacting requirements of police duty, the position of such individual in the Police Department shall be automatically vacated. Such individual, within fifteen (15) days after the filing of such certificate, may demand that he/she be permitted to submit medical certificates from two (2) physicians to be designated by the President of the County Medical Society. The decision of the majority of three (3) physicians shall prevail.

## **Sec. 5-1-2 Records and Reports.**

- (a) **Quarterly Reports.** Immediately following the end of each quarter, the Chief of Police shall submit to the Chairman of the Public Safety Committee a written report on all activities and transactions of the Department during the quarter. He/she shall also submit such a report at the end of each calendar year. He/she shall include either in the annual report, or with the proposed Departmental budget for the ensuing year, such recommendations as he/she shall deem advisable with respect to Departmental organization, personnel, property or equipment, or such other matters as he/she shall consider to affect the effective operation of the Department in the public interest including suggested ordinances.
- (b) **Police Records.** There shall be kept by the Department a suitable record in which shall be entered the name of every person arrested in the Village, the name of the person making the arrest, the date and cause of the arrest, the Court from which the warrant was issued, the disposition made of the case, the amount of fine and costs paid and to whom paid, bond posted, and all complaints in full.
- (c) **Funds Collected.**
- (1) All funds arising out of Police Department operations that may be collected by any member of the Department shall be deposited with the Village Administrator as soon as possible. The Chief of Police shall file with the Village Administrator, accompanying each such deposit, a statement showing in detail the source of such receipts, and the Chief of Police shall affix thereto his/her certificate stating that the money so paid is all of the funds collected or received by the Department since the preceding statement so filed.
  - (2) All fees, rewards, and other special remuneration received by the Police Department or any member thereof shall be deposited with the Village Administrator.

### **Sec. 5-1-3 General Powers of Police Officers.**

Every member of the Police Department shall:

- (a) Familiarize himself/herself with the ordinances of the Village and the Statutes and attend to the enforcement of such ordinances by all lawful means.
- (b) Help prevent crimes, misdemeanors and violations of Village ordinances and protect the health, safety, public peace and order of the Village and its inhabitants.
- (c) Report all street and sidewalk obstructions, unlighted street lamps, unlawful street signs or signals, and defective or dangerous streets and sidewalks to the appropriate person or organization responsible for their repair or service.
- (d) Maintain order at the scene of a fire or any other fire response within the Village.
- (e) See that the necessary permits and licenses issued by the State or Village are in the possession of or properly displayed by any person engaged in an activity or business within the Village for which such permit or license is required and that the terms of such permits or licenses are complied with.
- (f) Perform such other lawful duties as ordered by the Chief of Police or his/her authorized representative.

### **Sec. 5-1-4 Responsibilities of Chief of Police.**

- (a) **Duties.** In addition to the duties imposed upon him/her elsewhere in this Code of Ordinances, the Chief of Police shall:
  - (1) Have command of the Police Department on administrative matters, subject to the direction of the Village President and Village Administrator.
  - (2) Be responsible for the maintenance or order, the enforcement of laws, ordinances, and regulations of the Village, the prevention of crime, and the protection of life and property. He/she shall maintain rigid discipline so as to secure complete efficiency in the Department.
  - (3) Cause to be maintained accurate records of complaints, crimes, traffic accidents, ordinance violations, arrests, summons, incidents, and calls for police service and shall provide a system of periodic summary and analysis to ensure the most efficient and effective deployment and use of the Department's resources. The Chief of Police shall submit or cause to be submitted to the various agencies such reports and summaries as are required by State Statutes or ordinances and shall participate in voluntary programs designed to improve law enforcement and public safety.
  - (4) Submit such reports and comply with such administrative procedures as may be prescribed by the Village Board relative to fiscal and administrative matters.
  - (5) Submit such reports and/or information and comply with such policies as may be prescribed by Village Board.
  - (6) Have control of the assignment, hours of duty, and transfer of all members of the Department.

- (7) Plan, organize, staff, direct, and control all of the human and material resources of the Department for the most effective and efficient discharge of its duty to protect persons and property, preserve the peace, protect the rights of citizens and enforce the Wisconsin Statutes and the ordinances of the Village as are within its jurisdiction. The Chief of Police shall supervise the preparation and presentation of annual reports and budgets for the Police Department. The Chief of Police shall be required to certify to the correctness of all bills incurred by the Department.
- (8) Strive to maintain suitable, productive relationships with other Village departments and with other governmental agencies and private organizations concerned with law enforcement, crime prevention, administration of justice and public safety. The Chief of Police shall cooperate and exchange information with other Village departments in matters relating to their various functions.
- (9) Plan and execute programs designed to prevent and repress crime, apprehend and prosecute offenders, recover property, and regulate non-criminal conduct, giving highest priority in the allocation of resources to crime and other offenses most hazardous to life and property.
- (10) Perform such duties as may be required by law, ordinance, or Village regulation, and such other duties as may be imposed by the Village President.
- (b) **Custody of Department Equipment.** The Chief of Police shall be the custodian of all Village property, equipment and supplies under the control of, or used by, the Police Department and shall be responsible for the care, maintenance, safeguarding and accurate records of such property, equipment, and supplies.
- (c) **Custody of Department Property.** The Chief of Police shall be the custodian of all property and shall be responsible for the safekeeping, lawful disposition and accurate record of the same. The Chief of Police shall see that all property is returned to its lawful owner or otherwise disposed of according to the applicable statutes.
- (d) **Chain of Command.** The following chain of command will be followed in the prolonged absence or disability of the Chief of Police:
  - (1) The Lieutenant, Sergeant or lead officer shall take command of the Police Department.
  - (2) If the Lieutenant, Sergeant or lead officer is disabled and cannot assume these duties, the Investigator shall assume the duties as the Chief of Police.
  - (3) If the Investigator cannot assume command because of disability, the Village Administrator shall appoint an Acting Chief. Each respectfully will command, perform, and exercise the power and authority of the Chief of Police until the Village Board appoints a Chief.
- (e) **Promotions.** The Chief of Police may promote in rank personnel in the Department when authorized by the Village Board.

**Cross-Reference:** Section 2-4-7

**Sec. 5-1-5 Rules and Policies for the Police Department.**

The Chief of Police shall establish and promulgate Rules of Conduct, Directives and Policies and Procedures and prescribe such duties for individual members as he/she may deem necessary for the effective and efficient command and operation of the Department; provided no such Rules of Conduct, Directive or Policy Procedure duties or assignment shall be in conflict with the statutes, ordinances and approved Village personnel rules and regulations.

**Sec. 5-1-6 Maintenance of Personnel Records and Performance Evaluations.**

The Chief of Police shall cause to be maintained adequate personnel records of employment, assignment, promotions, attendance, performance and training for all members of the Department. The Chief of Police shall also comply with all provisions of the Law Enforcement Standards Board in regard to background investigations. The Chief of Police shall keep himself/herself adequately informed of the activities of the Department and be assured that the duties of his/her subordinates are properly discharged. The Chief of Police shall formulate procedures for recognizing outstanding performance by Department members for investigating complaints of misconduct by any Department member and for taking appropriate disciplinary action subject to the provisions of the applicable statutes, Rules of the Department and the jurisdiction of the Village Board.

**Sec. 5-1-7 Police Chief's Responsibility for Training.**

The Chief of Police is responsible for the training of all members of the Department. The Chief of Police shall cause adequate and progressive programs of training to be organized and conducted to prepare Department members in the knowledge, procedures, and techniques of their duties and responsibilities. The Chief of Police will insure that, within budgetary limitations, members of the Department attend training courses, seminars, and conferences necessary to maintain and improve their job skills and professional knowledge. The Chief of Police shall encourage Department members to further their education in law enforcement through study, special courses, college attendance, extension programs, and independent readings.

**Sec. 5-1-8 Civilians to Assist.**

All persons in the Village, when called upon by any law enforcement officer, shall promptly aid and assist him/her in the execution of his/her duties and whoever shall neglect or refuse to give



such aid or assistance shall be subject to the general penalty as provided in Section 1-1-6 of this Code of Ordinances.

**Sec. 5-1-9      Hearing Authorities for Suspension or Removal  
of Law Enforcement Authorities.**

The Village may not suspend, reduce, suspend and reduce or remove any police chief or other law enforcement officer who is not probationary unless the Village follows the procedure under Sec. 61.65(1)(am), Wis. Stats.

*State Law Reference:* Sec. 61.65(1)(am), Wis. Stats.

## Title 5 ► Chapter 2

---

### Fire Protection

- 5-2-1 Fire Department Organization; Goals of the Department
- 5-2-2 Impeding Fire Equipment Prohibited
- 5-2-3 Police Power of the Department; Investigation of Fires
- 5-2-4 Damaging Fire Hose Prohibited; Parking by Hydrants;  
Blocking Fire Lanes
- 5-2-5 Firefighters May Enter Adjacent Property
- 5-2-6 Duty of Bystanders to Assist
- 5-2-7 Vehicles to Yield Right-of-Way
- 5-2-8 Interference with Use of Hydrants Prohibited
- 5-2-9 Open Burning
- 5-2-10 Banning and/or Regulating the Use of Fire, Burning Materials  
and Fireworks During the Existence of Extreme Fire Danger
- 5-2-11 Ambulance Fees

#### Sec. 5-2-1 Fire Department Organization; Goals of the Department.

- (a) **Fire Department Recognized.** The Butler Volunteer Fire Department ("Fire Department") is officially recognized as the Fire Department serving the Village of Butler, and the duties of firefighting and fire prevention in the Village are delegated to such Department. The Butler Volunteer Fire Department shall be responsible for the program of fire defense for the citizens and property within the Village of Butler.
- (b) **Appropriations.** The Village Board shall appropriate funds for Fire Department operations and for such apparatus and equipment for the use of the Fire Department as the Board may deem expedient and necessary to maintain efficiency and properly protect life and property from fire.
- (c) **Goals of the Fire Defense Program.**
  - (1) The primary objective of the fire defense program is to serve all citizens, without prejudice or favoritism, by safeguarding, collectively and individually, their lives against the effects of fires and explosions.
  - (2) The second objective of the fire defense program is to safeguard the general economy and welfare of the community by preventing major conflagrations and the destruction by fire of industries and businesses.

- (3) The third objective of the fire defense program is to protect the property of all citizens against the effects of fire and explosions. All property deserves equal protection regardless of location or monetary value.
- (d) **Bylaws Governance.** The Butler Volunteer Fire Department shall be organized and governed pursuant to its bylaws.

## **Sec. 5-2-2 Impeding Fire Equipment Prohibited.**

No person shall impede the progress of a fire engine, fire truck or other fire apparatus of the Butler Volunteer Fire Department along the streets or alleys of such Village at the time of a fire or when the Fire Department of the Village is using such streets or alleys in response to a fire alarm or for practice.

## **Sec. 5-2-3 Police Power of the Department; Investigation of Fires.**

### **(a) Police Authority at Fires.**

- (1) The Chief and assistants or officers in command at any fire are hereby vested with full and complete police authority at fires. Any officer of the Department may cause the arrest of any person failing to give the right-of-way to the Fire Department in responding to a fire.
- (2) The Fire Chief may prescribe certain limits in the vicinity of any fire within which no persons, excepting firefighters and police officers and those admitted by order of any officer of the Department, shall be permitted to come.
- (3) The Chief shall have the power to cause the removal of any property whenever it shall become necessary for the preservation of such property from fire or to prevent the spreading of fire or to protect the adjoining property, and during the progress of any fire he/she shall have the power to cause the removal of all wires or other facilities and the turning off of all electricity or other services where the same impedes the work of the Department during the progress of a fire.

### **(b) Fire Inspection Duties.**

- (1) The Fire Chief, or the Chief's designee, shall be the Fire Inspector of the Village of Butler and shall have the power to appoint one or more deputy Fire Inspectors and shall perform all duties required of the Fire Inspectors by the laws of the State and rules of the Wisconsin Department of Commerce (formerly the Department of Industry, Labor and Human Relations), particularly Sec. 101.14, Wis. Stats.
- (2) While acting as Fire Inspector pursuant to Sec. 101.14(2), Wis. Stats., the Fire Chief, or any officer of the Fire Department designated by the Fire Chief, shall have the right and authority to enter any building or upon any premises in the Village of Butler

- at all reasonable hours for the purpose of making inspections or investigations which, under the provisions of this Code of Ordinances, he/she may deem necessary. Should the Fire Inspector find that any provisions of this Code relating to fire hazards and prevention of fires are being violated, or that a fire hazard exists which should be eliminated, it shall be his/her duty to give such directions for the abatement of such conditions as he/she shall deem necessary.
- (3)
    - a. Whenever any Fire Inspector shall find within the Village of Butler any building or premises which is in violation of the provisions of this Chapter or Title 5, Chapter 3, he/she shall order such violation to be removed or remedied within a reasonable time as determined by said Inspector.
    - b. Failure to remedy or remove said violation within the time specified by the Fire Inspector shall constitute a violation of this Chapter or Title 5, Chapter 3 shall be in writing, specifying the condition to be removed or remedied and specifying the time period in which such removal or remedy shall take place and shall be signed by the Fire Inspector making said order. Said order shall be served upon the owner, occupant or other person responsible for the condition which is in violation of this Chapter or Title 5, Chapter 3, either by delivering a copy of said order to and leaving it with any person in charge of the premises or, in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises.
  - (4) The Chief of the Fire Department is required, by himself/herself or by officers or members of the Fire Department designated by him/her as fire inspectors, to inspect all buildings, premises and public thoroughfares, as required by state law or local ordinance, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of any law or ordinance relating to the fire hazard or to the prevention of fires. Such inspections shall be made at least once in six (6) months in all of the territory served by the Fire Department, and not less than once in three (3) months in such territory as the Village Board has designated or thereafter designates as within the Village or as a congested district subject to conflagration, and oftener as the Chief of the Fire Department orders. Each six (6) month period shall begin on January 1 and July 1, and each three (3) month period on January 1, April 1, July 1 and October 1 of each year.
  - (5) Written reports of inspections shall be made and kept on file in the office of the Chief of the Fire Department in the manner and form required by the Department of Commerce. A copy of such reports shall be filed with the Fire Chief.
- (c) **Fire Inspectors Handbook.** The *Fire Inspectors' Handbook*, COMM is hereby adopted and made part of this Code of Ordinances by reference.

**State Law Reference:** Sec. 101.14(2), Wis. Stats.

### **Sec. 5-2-4      Damaging Fire Hose Prohibited; Parking by Hydrants; Blocking Fire Lanes.**

- (a) **Driving Over Fire Hose.** No person shall willfully injure in any manner any hose, hydrant or fire apparatus belonging to any fire department, and no vehicle shall be driven over any unprotected hose of any fire department when laid down on any street, private driveway or other place, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.
- (b) **Parking Vehicles Near Hydrants.** It shall be unlawful for any person to park a vehicle or leave any object within ten (10) feet of any fire hydrant at any time.
- (c) **No Parking Near Fire.** It shall be unlawful for any person, in case of fire, to drive or park any vehicle within one block from the place of fire without the consent and authority of the Fire Chief or any police officer.

### **Sec. 5-2-5      Firefighters May Enter Adjacent Property.**

- (a) **Entering Adjacent Property.** It shall be lawful for any firefighter while acting under the direction of the Fire Chief or any other officer in command to enter upon the premises with the fire, enter upon the premises adjacent to or in the vicinity of a building or other property then on fire for the purpose of extinguishing such fire and in case any person shall hinder, resist or obstruct any firefighter in the discharge of his/her duty as is hereinbefore provided, the person so offending shall be deemed guilty of resisting firefighters in the discharge of their duty.
- (b) **Destruction of Property to Prevent the Spread of Fire.** During the progress of any fire, the Fire Chief or his/her assistant shall have the power to order the removal or destruction of any property necessary to prevent the further spread of fire; provided that it is inevitable that, unless such property is removed, other property is in danger of being destroyed by fire.

### **Sec. 5-2-6      Duty of Bystanders to Assist.**

Every person who shall be present at a fire shall be subject to the orders of the Fire Chief or officer in command and may be required to render assistance in fighting the fire or in removing or guarding property. Such officer shall have the power to cause the arrest of any person or persons refusing to obey said orders.

### **Sec. 5-2-7      Vehicles to Yield Right-of-Way.**

Whenever there shall be a fire or fire alarm or the Fire Department shall be out for practice, every person driving or riding in a motorized or other vehicle shall move and remain to the side of the street until the fire engine and fire truck and other fire apparatus shall have passed.

## **Sec. 5-2-8 Interference with Use of Hydrants Prohibited.**

No person shall occupy any portion of such streets or alleys with a motorized or other vehicle between such fire engine or fire truck or other fire apparatus or any hydrant to which a fire hose may be, or may be about to be, attached.

## **Sec. 5-2-9 Open Burning.**

- (a) **Open Burning Prohibited.** No person, firm or corporation shall build any outdoor fire within the corporate limits of the Village of Butler excepting as set forth below in this Section. This prohibition on burning includes burning of construction waste and debris at construction sites and the use of burning barrels.
- (b) **Exceptions.**
  - (1) Outdoor cooking over a fire contained in a device or structure designed for such use is permissible;
  - (2) Controlled burning of grass or similar vegetation for environmental management purposes, with the prior written approval of the Chief of Police or Fire Chief, or his/her designee, may be permitted; this exception is not to be used for the burning of grass, leaves or other lawn debris;
  - (3) Ceremonial campfire or bonfires, with prior written approval of the Fire Chief, or his/her designee, may be permitted.
  - (4) Other occasions of desirable outdoor burning not specified by this Subsection, but not as an alternative to refuse removal or disposal of which other methods are available, may be granted single occasion approval as in Subsections (2) and (3) above.
  - (5) Open burning when a permit is issued.
  - (6) Outdoor fireplaces, factory-approved, covered, and located not less than ten (10) feet from a structure.
- (c) **Application for Permit.**
  - (1) **Procedure for Issuance of Burning Permit.** Before the setting or starting of any open burning permitted under this Section, a permit authorizing the burn shall be first obtained by the owner, operator, or agent from the Fire Chief or from such other person as may be authorized or designated by the Fire Chief to issue such permits. Application for a burning permit shall be made in writing upon a form furnished by the Fire Chief. The Fire Chief may also establish from time to time special rules or restrictions relating to open burning by permit. Such rules may govern conditions including, but not necessarily limited to, the following:
    - a. Hours when burning is allowed;
    - b. Day(s) when burning is allowed;
    - c. Material which may or may not be burned;

- d. Whether open burning is allowed or whether burning is only allowed with an approved incinerator or burning device;
  - e. The length of time the permit is valid;
  - f. What constitutes an approved burning device or incinerator;
  - g. The size of the material pile burned by open burning;
  - h. The distance or distances to be maintained between the material being burned and other flammable material;
  - i. Supervision required for burning, including minimum age of supervisors and type of fire extinguishing equipment which must be present at the burn site;
  - j. The manner in which ashes created by the burning under the permit are to be disposed of.
- (2) **Issuance Of Permit.** If the Fire Chief, or other person authorized or designated by the Fire Chief to issue such permits, finds that the proposed burning complies with all Village ordinances and the regulations contained in Ch. COMM 14, Wis. Adm. Code, the Fire Chief shall approve the application, and a burning permit shall be subsequently issued to the applicant. A copy of any burning permit, and the application therefore, shall be kept on file with the Fire Chief. No burning permit issued shall be valid for more than thirty (30) days from the date when issued.
- (d) **Open Burning Regulations.** The following regulations shall be applicable when an open burning permit has been issued:
- (1) All open burning conducted pursuant to a permit shall be performed in a safe, pollution-free manner, when wind and weather conditions are such as to minimize adverse affects, and in conformance with local and state fire protection regulation. Open burning permits shall not be used to covertly burn plastic, construction debris or other prohibited materials.
  - (2) The size of the pile of material to be burned shall not exceed four (4) feet in any direction measured horizontally, or three (3) feet measured vertically.
  - (3) The pile of material being burned shall be at least fifty (50) feet away from any structure, wood or lumber pile, wooden fence, trees, or bushes. Provisions shall be made to prevent the fire from spreading to within fifty (50) feet of such items or the fire shall otherwise be contained in an approved incinerator or burner device which is located at least fifteen (15) feet from any structure, wood or lumber pile, wooden fence, trees, or bush(es).
  - (4) Any ashes created by burning such material as is lawful under this Section are to be disposed of in a manner authorized by law.
  - (5) Open burning shall be constantly attended and supervised by a competent person of at least sixteen (16) years of age until such fire is extinguished. This person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire while burning and/or extinguishing such fire.
  - (6) No materials may be burned upon any street, curb, gutter, or sidewalk.
  - (7) Permits shall not be issued for burning barrels or the burning of yard waste.

**State Law Reference:** Ch. COMM 14, Wis. Adm. Code.

## **Sec. 5-2-10 Banning and/or Regulating the Use of Fire, Burning Materials and Fireworks During the Existence of Extreme Fire Danger.**

- (a) **Declarations of Emergency.** When there occurs a lack of precipitation, there may exist an extreme danger of fire within the Village of Butler. This extreme danger of fire affects the health, safety, and general welfare of the residents of the Village of Butler and constitutes a state of emergency. It is hereby found that the regulation of fires, burning materials, and fireworks is necessary and expedient for the health, safety, welfare and good order of the Village of Butler during said emergency.
- (b) **Regulation of Fires, Burning Materials and Fireworks.** When a burning state of emergency is declared, it may be ordered that a person may not:
  - (1) Set, build, or maintain any open fire, except:
    - a. Charcoal grills using charcoal briquets, gas grills, or camp stoves on private property; or
    - b. Charcoal grills using charcoal briquets, gas grills, or camp stoves in Village parks placed at least twenty (20) feet away from any combustible vegetation.
  - (2) Throw, discard or drop matches, cigarettes, cigars, ashes, charcoal briquets or other burning materials while outdoors except into a noncombustible container that does not contain combustible materials.
  - (3) Light or ignite a flare, except upon a roadway in an emergency.
  - (4) Light, ignite, or use anything manufactured, processed, or packaged solely for the purpose of exploding, emitting sparks or combustion for amusement purposes, including fireworks, firecrackers, bottle rockets, caps, toy snakes, sparklers, smoke bombs, or cylindrical or cone fountains that emit sparks and smoke, except in displays authorized by the Village where adequate fire prevention measures have been taken.
- (c) **Period of Emergency.**
  - (1) The periods of emergency for which this Section shall be in effect shall be during such periods that Waukesha County, Wisconsin, is under Wisconsin Department of Natural Resources emergency fire regulations banning outdoor smoking and campfires, or when necessary as determined by the Village President, upon the recommendation of the Fire Chief.
  - (2) Burning emergencies shall become effective upon the time and date of the Village President declaring a state of emergency and shall remain in effect until the period of emergency ceases to exist or until the ratification, alteration, modification, or repeal of the burning state of emergency by the Village Board.

## **Sec. 5-2-11 Ambulance Fees.**

Ambulance fees shall be as established in Section 1-3-1.



## Title 5 ► Chapter 3

---

# Fire Protection and Life Safety

<b>5-3-1</b>	Purpose
<b>5-3-2</b>	Application
<b>5-3-3</b>	Adoption of Fire Protection Regulations
<b>5-3-4</b>	Definitions
<b>5-3-5</b>	Installation of Automatic Sprinkler Systems — New Construction
<b>5-3-6</b>	Installation of Automatic Sprinkler Systems — Existing Buildings
<b>5-3-7</b>	Smoke Detection Requirements
<b>5-3-8</b>	Exhaust Hoods
<b>5-3-9</b>	Spray Booths
<b>5-3-10</b>	Alarm Systems
<b>5-3-11</b>	Fire Department Standpipes/Risers
<b>5-3-12</b>	Fire Hydrant Requirements
<b>5-3-13</b>	Security Key and Vault System
<b>5-3-14</b>	Maintenance and Testing of Suppression, Alarm and Detection Equipment
<b>5-3-15</b>	Permit Required
<b>5-3-16</b>	Suppression System Zone Requirements
<b>5-3-17</b>	Occupancy and Compliance Statement
<b>5-3-18</b>	Board of Fire Appeals

### **Sec. 5-3-1 Purpose.**

The Fire Prevention and Life Safety Code is intended to provide the Village of Butler with Fire Prevention rules and Life Safety Regulations.

### **Sec. 5-3-2 Application.**

It is not intended that this Chapter to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, or permits previously adopted or issued pursuant to law. However, wherever this Chapter imposes greater

restrictions, the provisions of this Chapter shall apply to all structures. The property owner and occupant of the property shall comply with the provisions of this Chapter. The Fire Chief or his/her designee shall be the enforcing officer of this Chapter.

### **Sec. 5-3-3 Adoption of Fire Protection Regulations.**

The following regulations are adopted by reference and incorporated into this Chapter as if fully set forth herein and any violation of said regulation shall constitute a violation of this Chapter:

- (a) The provisions of the Fire Prevention Code including design and installation codes for suppression and detection systems as adopted by the National Fire Protection Association (NFPA) as they are from time to time updated and amended;
- (b) The Wisconsin Administrative Code provisions as they relate to Fire Prevention and Life Safety, specifically, the Prevention Code, Chapter COMM 14 and the Building and Heating, Ventilation, and Air Conditioning Code, Chapters COMM 50 through 64, and COMM 66 Multifamily Dwelling Code, Wis. Adm. Code, inclusive as they are amended and updated from time to time.

### **Sec. 5-3-4 Definitions.**

Except as otherwise provided, words and phrases used in this Chapter shall have the definitions set forth in the Wisconsin Administrative Code and specifically, COMM 51.01 as amended from time to time. All other words or phrases shall have the definitions set forth in the then current edition of "Webster's New International Dictionary".

### **Sec. 5-3-5 Installation of Automatic Sprinkler Systems— New Construction.**

Approved Automatic Fire Suppression Systems shall be installed per NFPA 13, 13D, and 13R and maintained per NFPA 25 in all of the following types of buildings constructed in the Village of Butler after the effective date of this Chapter: commercial, office, industrial, governmental, churches, commercial garages, garages for multifamily dwellings with three (3) or more units, theaters, restaurants, multifamily dwellings with three or more units, schools and educational facilities, and places of assembly as follows:

- (a) **Buildings for the manufacture, storage, and/or sale of goods or merchandise, and office buildings** provided they meet one or more of the following characteristics:
  - (1) One level and six thousand (6,000) square feet or more in area; or
  - (2) Greater than one level regardless of area.

- (b) **Theaters, restaurants, and places of assembly** shall utilize quick response sprinkler heads.
- (c) **Hospitals, medical centers, nursing homes, convalescent centers, elderly retirement complexes, and day care centers** shall utilize quick response sprinkler heads.
- (d) **Schools and education facilities.**
  - (1) Buildings of non-fire resistive construction shall be sprinklered throughout the entire building.
  - (2) Installation of automatic sprinkler systems in fire resistive construction shall be required throughout basements, workshops, laboratories, stairways, corridors, auditoriums, all stair areas, janitorial closets, kitchens, cafeterias, interior loading docks, mechanical equipment rooms, and throughout other areas where combustible materials are handled or stored.
- (e) **Garages.**
  - (1) Garages in fire resistive buildings ten thousand (10,000) square feet or more shall be sprinklered throughout.
  - (2) Sprinklers shall be installed throughout all garages in non-fire resistive buildings five thousand (5,000) square feet in area or more.
  - (3) Garages in buildings that contain a multi-family residential use intended for three (3) or more families shall be sprinklered throughout.
  - (4) Garages in basements or sub-basements shall be sprinkled throughout.
- (f) **Multi-family dwellings with three (3) or more dwelling units** shall comply with COMM 66 Multi-Family Dwelling Code, Wis. Adm. Code.
- (g) **Churches.**
  - (1) Churches of fire resistive construction without day care or education classrooms shall be required to have an approved monitored smoke detection system installed throughout.
  - (2) Churches of fire resistive construction with day care or educational classrooms shall be required to have an approved monitored smoke detection system installed throughout.
  - (3) In churches of non-fire resistive construction, installation of an automatic sprinkler system shall be required throughout the building except for the area within a church where the formal religious activity is held on a regular basis. The excepted area shall be required to have an approved monitored smoke detection system installed.
- (h) **High Hazard Occupancies.** Throughout every building which by reason of its construction or highly combustible occupancy involves a severe life hazard to its occupants or constitutes a fire menace. As provided in COMM 52.013(7)(a), Wis. Adm. Code, an automatic fire sprinkler system shall be installed in all high hazard occupancies exceeding three thousand (3,000) square feet in floor area. The following list, as examples of high hazard occupancies, are not considered all-inclusive:
  - (1) Aluminum powder factories.
  - (2) Cellulose nitrate plastic factories.

- (3) Cereal mills.
- (4) Distilleries.
- (5) Flour and feed mills.
- (6) Grain elevators.
- (7) Aircraft hangers.
- (8) Chemical works.
- (9) Explosive or pyrotechnic manufacturing/storage.
- (10) Linseed oil mills.
- (11) Linoleum and oil cloth manufacturing.
- (12) Oil refineries and gasoline bulk tanks.
- (13) Pyroxylin plastic manufacturing or processing.
- (14) Shade cloth manufacturing.
- (15) Solvent extracting.
- (16) Varnish or paint manufacturing/storage.
- (17) Paint stripping establishments.
- (18) Any occupancy involving processing, mixing, storage, or dispensing of volatile liquids.
- (19) Waste paper plants.
- (20) Vehicle storage.
- (21) Smoke houses.
- (22) Storage of explosive gases under pressure ((15 P.S.I. and over 5,400 cubic feet) such as acetylene, hydrogen, and natural gases.
- (23) Storage, use and/or sale of flammable and combustible liquids/materials to exist in excess of ten (10) gallons and does not exceed in quantity two hundred forty (240) gallons/or one (1) day's supply with a flash point under two hundred degrees Fahrenheit (200°F), such as, but not limited to, celluloid products, kerosene, etc. *shall* comply with COMM 10 and referred to COMM 52.013 and A52.011, Wis. Adm. Code.
- (24) Woodworking and other such establishments with combustible dusts.
- (25) Body shops.
- (26) Lubrication shops.
- (27) Repair garages.
- (28) Buildings for the storage of recreational vehicles, boats, snowmobiles, etc.
- (29) Black powder and gun powder storage and/or sales.

### **Sec. 5-3-6      Installation of Automatic Sprinkler Systems — Existing Buildings.**

- (a) All buildings existing as of the original effective date of this Chapter which would be required to be sprinklered under Section 5-3-5(h) had they been newly constructed shall

conform to this Chapter on or before June 1, 2006 or within twelve (12) months of any of the following, whichever shall occur first:

- (1) Structural improvements or modifications if more than fifty percent (50%) of the interior area of the building is remodeled and/or added to, the entire building shall be brought into compliance with the requirements of this Chapter.
- (b) Any existing health care facilities and community based residential facilities, including housing for the elderly [persons over sixty-two (62) years of age] or any place that houses nine (9) or more unrelated people who are elderly or who are physically or mentally challenged, shall, within three (3) years of the original adoption of this Chapter, have the following:
  - (1) An automatic sprinkler system approved by the Building Inspector with quick response heads in all rooms where people sleep or are cared for;
  - (2) An approved alarm system to monitor the sprinkler system.
- (c) All buildings subject to fire suppression installation requirements under Subsection (a) above will have twelve (12) months from issuance of a permit to meet these requirements.

### **Sec. 5-3-7 Smoke Detection Requirements.**

All buildings, six thousand (6,000) square feet or greater, existing as of the original effective date of this Chapter shall be required to install an approved, twenty-four (24) hour monitored smoke detection system on or before June 1, 2004.

### **Sec. 5-3-8 Exhaust Hoods.**

Exhaust hoods as defined in COMM 64.67(2)(a), Wis. Adm. Code, shall have an approved suppression system per NFPA 33, Chapter 7. The suppression system shall be interconnected with the regular alarm system as an individual zone.

### **Sec. 5-3-9 Spray Booths.**

All spray booths greater than ten (10) square feet in area shall have an approved suppression system per NFPA 33, Chapter 7. The suppression system shall be interconnected with the required alarm system as an individual zone.

### **Sec. 5-3-10 Alarm Systems.**

All sprinkler, suppression, and detection systems shall be connected to an approved alarm system as follows:

**5-3-10**

- (a) The alarm system shall be monitored by a remote commercial monitoring system or service that is staffed twenty-four (24) hours a day.
- (b) The alarm/indicator panel shall be located in the main entry foyer or airlock of the building. All functions for reset and area identification shall be performed at this panel.
- (c) Each fire suppression zone shall be provided with an individual alarm zone and individual identification.
- (d) The alarm system shall be audible in all areas of the building and comply with the requirements of 28 CFR, Part 36, Appendix A, as amended from time to time.
- (e) Alarm systems shall not be removed from service unless the Fire Department is notified in writing twenty-four (24) hours prior to the action.

**Sec. 5-3-11 Fire Department Standpipes/Risers.**

- (a) The installation of a fire suppression system will not supersede the requirements for the installation of Fire Department standpipes.
- (b) Standpipes shall be installed in all buildings with three (3) levels or more or as required by the Fire Department. The basement level shall not be used in calculating the number of levels.
- (c) Standpipe connections shall have a two and one-half inch (2-1/2") to one and one-half inch (1-1/2") reducer cap.

**Sec. 5-3-12 Fire Hydrant Requirements.**

- (a) The installation of an approved fire hydrant system shall be required on projects where sprinkling is required of the principal building and it is set back two hundred fifty (250) feet or more from a municipal hydrant.
- (b) Fire hydrants shall be free-standing and located no more than fifty (50) feet, nor less than twenty-five (25) feet, from the main entrance or as approved by the Fire Department. Additional hydrants shall be provided around the building so that no fire hydrant is more than five hundred (500) feet from another hydrant. This dimension shall be measured along normal access routes used by fire apparatus.
- (c) The Fire Department sprinkler connection shall be within one hundred fifty (150) feet of an approved fire hydrant.
- (d) The Department access shall be maintained to the Fire Department sprinkler connection at all times.
- (e) All hydrants, whether public or private property, shall have unobstructed access at all times. No structure, culvert, vegetation, or landscape elements shall be installed within four (4) feet of a hydrant in a manner that imposes Fire Department access.

- (f) All fire hydrants on private property shall be installed with an eight (8) inch water main, unless the existing municipal water main is less than eight (8) inches.
- (g) All private fire hydrants shall be required to have a flow test performed annually under the supervision of the Fire Inspector.

### **Sec. 5-3-13 Security Key and Vault System.**

The Butler Volunteer Fire Department has adopted the Knox Box Security Vault System as the recommended security vault system. All commercial buildings that have a monitored alarm system shall install a security vault system in a location approved by the Fire Department. Buildings that need special consideration for security reasons shall be reviewed by the Fire Department and/or Village Board.

### **Sec. 5-3-14 Maintenance and Testing of Suppression, Alarm, and Detection Equipment.**

- (a) All sprinkler systems shall be maintained to NFPA 25 standards. All approved alarm systems shall be maintained to NFPA 72 standards. Written certification of required maintenance shall be provided to the Fire Department on or before May 1st or each year pursuant to COMM 14.42, Wis. Adm. Code.
- (b) Except for testing, maintenance, and repairs, all systems shall be maintained in operating condition at all times.
- (c) No system shall be removed from service without providing twenty-four (24) hours notice in writing to the Fire Department.
- (d) The inspector's test pipe discharge shall terminate to the outside of the building, janitorial sink, or other sanitary drain approved by the Department.

### **Sec. 5-3-15 Permit Required.**

- (a) No automatic fire suppression system shall be installed, extended, or altered within the Village unless a plumbing permit is first obtained from the Village of Butler.
- (b) No automatic smoke detection system shall be installed, extended, or altered within the Village unless a life safety permit is first obtained from the Village of Butler.

### **Sec. 5-3-16 Suppression System Zone Requirements.**

The Building Inspector shall consult with the Fire Department to determine whether a required suppression system shall be installed with one or more zones dividing the area into sections. Each zone shall comply with the following installation requirements:

- (a) Control valve.
- (b) Flow switch.
- (c) Drain which terminates in compliance with an inspector test except for low point drains.

### **Sec. 5-3-17 Occupancy and Compliance Statement.**

A building occupancy permit shall not be issued until the supervising architect, engineer, or designer files a written statement with the Fire Inspector certifying that, to the best of his/her knowledge and belief, the suppression system, detection or alarm system was installed as designed and submitted to the Village and is *fully* operational. This statement shall be in the form prescribed by the Village.

### **Sec. 5-3-18 Board of Fire Appeals.**

- (a) **Composition.** The Board of Fire Appeals shall consist of the Fire Chief, Head Fire Inspector, Building Inspector, Village Administrator, and Public Safety Committee Chairperson.
- (b) **Powers.** The Board of Fire Appeals shall have the power to defer applicability of any of the requirements of this Fire Prevention/Life Safety Code for up to two (2) years upon application in writing by the owner or his/her duly appointed agent, when there are practical difficulties which prevent carrying out all of the requirements of this Chapter, provided that the public safety is maintained. The particulars of such deferment, when granted or allowed and the decision of the Board of Fire Appeals thereon, shall be entered upon the records of the Department and a signed copy shall be furnished to the applicant within ten (10) working days of the date of such decision. In addition, a copy of such application and decision shall be filed with the Office of the Village President and Village Administrator.
- (c) **Procedures.** Any applicant who desires a deferment to any provision or requirement of this Chapter may request an oral hearing before the Board of Fire Appeals by submitting a written request therefor to the Director of Inspection Services or his/her designee. The Board shall meet and deliberate the request not less than ten (10) working days from the date of application. A fee as prescribed in Section 1-3-1 shall be required of the applicant at the time a request for a hearing before the Board is made.
- (d) **Review.** The Board of Fire Appeals shall review such requests for deferments using the following criteria:
  - (1) The proposed modification will not result in an overall reduction in the protection of life and property;
  - (2) The proposed modification addresses unusual building construction and/or structural elements that preclude the strict adherence to this Chapter;



- (3) The granting of a modification shall not be based on a self-imposed hardship;
- (4) The request is based on characteristics that are unique and specific to the subject building.
- (e) **Interpretation.** Wherever the provisions of this Code conflict with the provisions of the state or federal regulations adopted under this Code, the more restrictive Code shall govern. Conflicts of interpretation shall be resolved by the Board of Fire Appeals.
- (f) **Appeals.**
  - (1) If the Board of Fire Appeals and the Bureau of Inspection Services rejects an application, or refuses to grant a permit applied for, or when it is claimed that the provisions of the Chapter have been misconstrued or wrongly interpreted, the aggrieved person or applicant may appeal the decision to the Village Board.
  - (2) For purposes of this Chapter, the Village Board shall act as the hearing board and notices of appeal shall be filed with the Village Administrator. An application fee to bring an appeal shall be paid at the time of the filing of the appeal in an amount as prescribed in Section 1-3-1. The appeal fee is non-refundable and failure to pay this amount shall cause the appeal to be dismissed. It shall require a majority of the Village Board members present and voting to overturn the decision of the Board of Fire Appeals.

## Title 5 ► Chapter 4

---

# Regulation of Private Alarm Systems

<b>5-4-1</b>	Title
<b>5-4-2</b>	Declaration of Purpose
<b>5-4-3</b>	Definitions
<b>5-4-4</b>	Administrative Rules
<b>5-4-5</b>	Automatic Dialing Devices
<b>5-4-6</b>	Direct Connections to the Police Department
<b>5-4-7</b>	Testing
<b>5-4-8</b>	Notification of Alarm System Disruption of Services
<b>5-4-9</b>	Alarm Records; Response Time to Protected Persons
<b>5-4-10</b>	Fee for Answering Alarms
<b>5-4-11</b>	Village Liability

### **Sec. 5-4-1 Title.**

This Chapter shall be known as the Village of Butler Alarm Systems Ordinance.

### **Sec. 5-4-2 Declaration of Purpose.**

The purpose of this Chapter is to provide minimum standards and regulations applicable to burglar, fire and holdup alarm systems, alarm business and alarm users. Both society in general and public safety in particular will be aided by providing a useful and usable system of private security which properly balances quick response by law enforcement with minimization of law enforcement time spent on alarms which are false or otherwise not the intended function of private security systems.

### **Sec. 5-4-3 Definitions.**

Within this Chapter, the following terms, phrases and words and their derivations have the meaning given herein:

- (a) **Alarm Business.** Any business in which the owners or employees engage in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling, or servicing alarm systems.
- (b) **Alarm System.** An assembly of equipment and devices or single device such as a solid state unit which plugs directly into 110-volt AC line or otherwise receives electrical energy arranged to signal the presence of a hazard requiring urgent attention and to which the Police or Fire Department is expected to respond. In this Chapter, the term "alarm system" shall include the terms "automatic holdup alarm systems," "burglar alarm systems," "holdup alarm systems" and "manual holdup alarm systems" as those terms are hereinafter defined, and fire alarm systems which monitor temperature, humidity or any other condition directly related to the detection of fire. Excluded from this definition and from the coverage of this Chapter are alarm systems used to alert or signal persons within the premises in which the alarm system is located of an attempted, unauthorized intrusion or holdup attempt or fire.
- (c) **Annunciator.** The instrumentation of an alarm console at the receiving terminal of a signal line through which both visual and audible signals show when an alarm device at a particular location has been activated or which, in the event of malfunction, may also indicate line trouble.
- (d) **Answering Service.** A telephone answering service providing among its services the service of receiving on a continuous basis through trained employees emergency signals from alarm systems, and thereafter immediately relaying the message by live voice to the dispatch center of the Police or Fire Department.
- (e) **Automatic Dialing Device.** An alarm system which automatically sends over regular telephone lines by direct connection or otherwise a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect.
- (f) **Automatic Holdup Alarm System.** An alarm system in which the signal transmission is initiated by the action of the robber.
- (g) **Manual Holdup Alarm System.** An alarm system in which the signal transmission is initiated by the direct action of the person attached or by an observer thereof.
- (h) **Burglar Alarm System.** An alarm system which signals an entry or attempted entry into the area protected by the system.
- (i) **Central Alarm Station.** A facility which receives signals from alarm systems and alerts Police/Fire personnel of the need to make an emergency response.
- (j) **Direct Alarm System or Direct Connection.** Any device designed and installed for the purpose of detecting and signaling an alarm to the Police/Fire Department either directly or through a central alarm station.
- (k) **False Alarm.** The activation of an alarm system through mechanical failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system or of his employees or agents or other undetermined cause. False alarm does not include alarms caused by tornadoes or other violent climatic conditions.

- (l) **Interconnect.** To connect an alarm system to a voice grade telephone line, either directly or through a mechanical device that utilizes a standard telephone, for the purpose of using the telephone line to transmit an emergency message upon the activation of the alarm system.
- (m) **Local Alarm.** An alarm system that gives a signal which is visible or audible to persons in the vicinity of the premises.
- (n) **Primary Trunk Line.** A telephone line leading directly into the dispatch center of the Police or Fire Department that is for the purpose of handling emergency calls on a person-to-person basis and which is identified as such by a specific number included among the emergency numbers listed in the telephone directory or numbers in sequence therewith.
- (o) **Subscriber.** A person who buys or leases or otherwise obtains an alarm system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm system.

#### **Sec. 5-4-4 Administrative Rules.**

- (a) **Rulemaking Authority.** The Chief of Police shall promulgate such rules as may be necessary for the implementation of this Chapter. Such rules shall require the approval of the Village Board and shall be open to inspection by the public.
- (b) **Exceptions.** The requirements imposed by this Chapter shall not apply to alarm systems which are operated by the Village of Butler or which are used solely to warn the inhabitants of a structure of an occurrence and any signal does not carry to adjoining property or public ways. Smoke detectors installed in single-family residential structures are specifically exempted from this Chapter.

#### **Sec. 5-4-5 Automatic Dialing Devices.**

No alarm system shall be permitted which, through the use of a mechanical device, transmits a recorded message via telephone trunk lines to the Police or Fire Department except when the Chief of Police establishes and designates certain trunk lines for that purpose. No person shall interconnect any automatic dialing device to a Police or Fire Department primary trunk line. No person shall permit such devices, which were installed prior to the effective date of this Chapter, to remain interconnected from any property owned or controlled by that person. Such devices may be connected to a central station or an answering service. Relaying messages so received to the Police or Fire Department shall only be done person to person on the telephone line.

#### **Sec. 5-4-6 Direct Connections to the Police Department.**

Direct connections to the Police or Fire Department are prohibited, but may be authorized pursuant to the direct connection policies of each Department, a copy of which is on file with the Chief of Police and Fire Chief.

### **Sec. 5-4-7      Testing.**

- (a) No alarm business or alarm system designed to transmit emergency messages to the Police Department shall be tested or demonstrated without prior notification and approval of the Police Department dispatcher. Alarm businesses or alarm system owners or lessors will be advised on proper test procedure.
- (b) No alarm system relayed through intermediate services to the Police Department will be tested to determine the Police Department's response without first notifying the appropriate authority. However, the Police Department may inspect or test on-site alarm systems authorized under this Chapter.
- (c) Alarm systems shall be in compliance with all pertinent response policies of the Police Department.

### **Sec. 5-4-8      Notification of Alarm System Disruption of Services.**

When the service provided by an alarm business to its subscribers is disrupted for any reason by the alarm business or the alarm business becomes aware of such disruption, it shall promptly notify its subscribers by telephone that protection is no longer being provided. If, however, the alarm business has written instructions from its subscriber not to make such notification by telephone during certain hours, the alarm business may comply with such instructions.

### **Sec. 5-4-9      Alarm Records; Response Time to Protected Premises.**

- (a) **Alarm Record Required.** The owner or occupant of premises protected by an alarm system is required to file a record of such system with the Village. No owner or occupant shall cause to be placed in operation an alarm system for which a record has not been filed with the Village.
- (b) **Alarm Record Form.** Alarm record forms shall be provided by the Village and shall require an applicant to furnish information sufficient to identify the applicant, the location of the premises to be protected by the alarm system and such other information as the Chief of Police may deem necessary for safe and proper emergency response by the Police or Fire Departments.
- (c) **Response by Permittee or Agent Required.** The owner of occupant, or their agent, of premises protected by an alarm system must respond to the protected premises within thirty (30) minutes of notification of an alarm. The person responding to the protected premises must be authorized to enter and inspect the premises and assist police personnel who have

responded to an alarm signal. The owner or occupant of the protected premises must provide current information on persons to be contacted in the event of an alarm signal.

- (d) **Local Alarms.** An alarm system which has a local alarm must be designed and maintained to automatically reset or shut off the local portion of the alarm signal within fifteen (15) minutes of being activated.

## **Sec. 5-4-10 Fee for Answering Alarms.**

- (a) **Generally.** Each false alarm requires response of public safety personnel, involves unnecessary expense to the Village, increases the risk of injury to persons or damage to property and dilutes the overall public safety protection to the Village. Such false alarms constitute a public nuisance and must be abated.
- (b) **Intentional Activation.** No person shall intentionally cause the activation of a burglar/fire alarm device knowing that no criminal activity, fire or other emergency exists.
- (c) **False Alarms; Administrative Charges.**
  - (1) Any person, business, corporation or other entity having permissible alarm system with alarm device(s) at one or more locations in accordance with this Chapter shall pay to the Departments a charge for false alarms responded to by the Police or Fire Department according to the following schedule for each calendar year for each location connected, separate accounts to be kept for false alarms as to criminal activity and false alarms for fire or other emergencies. The cost of false alarms outside of Village limits shall be billed by the Village as a service to the Departments to the responsible party(s) pursuant to Section 1-3-1.
  - (2) This Subsection is intended to impose a strict liability on the person, business, corporation or other entity responsible for alarm connection to either the police alarm panel or to alarm receiving firm to which the Police or Fire Department have responded and shall be applied regardless of the cause of the false alarm excepting those alarms excluded from the definition of "False Alarm." Failure to pay such administrative charge(s) in and of itself shall constitute a violation of this Section, and such charge(s) shall be collectible as a forfeiture upon prosecution and conviction thereof, together with an additional forfeiture(s) which may be imposed under the next Subsection (d) hereof for violation of this Section for allowing or maintaining condition(s) or act(s) violative of the intent of this Section of eliminating and minimizing the occurrence of false alarms, together with costs of prosecution.
  - (3) When the Chief of Police determines that the cause of false alarms was beyond the control of an owner, that false alarm may be exempted from this provision.
- (d) **Other Violations.** Any person, corporation or other entity violating this Chapter in any manner, other than for collection of unpaid administrative charges treated in the preceding Subsection (a) of this Section, shall be subject to forfeiture as provided in Section 1-1-6 of

this Code. When any premises located in the Village is owned, leased or occupied by two (2) or more persons as joint tenants, tenants in common, joint lessees, or in any other manner, each person shall see that the provisions of this Chapter are complied with, and each person may be subjected to a penalty on violation of this Section.

- (e) **Default of Payment for Forfeiture and/or Costs.** On default of payment of forfeiture and/or costs under the immediately preceding Subsections (c) and/or (d), such person or responsible officer of the violating corporation or other entity shall be confined in the county jail until the same be paid but not to exceed a length of time specified by the court which length of time shall not exceed six (6) months. Upon nonpayment of the fee, the amount due may be placed on the tax roll as a special charge pursuant to Sec. 66.0707, Wis. Stats.

### **Sec. 5-4-11 Village Liability.**

The Village of Butler shall be under no duty or obligation to a subscriber or to any other person concerning any provision of this Chapter, including, but not limited to, any defects in an alarm system or any delays in transmission or response to any alarm; however, this in no way shall be construed that it is not the proper function of law enforcement to respond to alarms. The Village of Butler shall have no duty or obligation to any permittee under this Section or any other person to monitor, receive or transmit alarm signals or other information or to respond to such signals or information in any manner whatsoever. Further, the Village of Butler assumes no responsibility for the installation, maintenance or operation of any alarm system within the Village.

## Title 5 ► Chapter 5

---

# Emergency Government

<b>5-5-1</b>	Policy and Purpose
<b>5-5-2</b>	Emergency Government Commission
<b>5-5-3</b>	Emergency Government Director
<b>5-5-4</b>	Utilization of Existing Services and Facilities
<b>5-5-5</b>	Emergency Regulations
<b>5-5-6</b>	Mutual Aid Agreements
<b>5-5-7</b>	Declaration of Emergencies
<b>5-5-8</b>	Penalties

Appendix A: Village of Butler Comprehensive  
Emergency Government Plan

### **Sec. 5-5-1 Policy and Purpose.**

- (a) "Emergency Government" shall mean the preparation for and the carrying out of all emergency functions (other than functions for which the military forces are primarily responsible), and to minimize and repair injury and damage resulting from disaster caused by enemy attack, sabotage, or other hostile action, by fire, flood, or other natural causes, industrial-related accidents, or any other accidental causes.
- (b) By reason of the increasing possibility of disasters of unprecedented size and destructiveness, to insure that preparations will be adequate to cope with such disasters, to provide for the common defense, to protect the public peace, health, safety and general welfare, and to preserve the lives and property of the people, it is hereby declared necessary:
  - (1) To establish a local emergency government organization.
  - (2) To provide for the exercise of necessary powers during civil emergencies.
  - (3) To provide for the rendering of cooperation and mutual aid between the Village of Butler and other political subdivisions.
- (c) It is further declared to be the purpose of this Chapter and the policy of the Village of Butler that all emergency government functions of this Village be coordinated to the maximum extent practicable with existing services and facilities of the Village, and with comparable functions of the federal, state and county government and other political subdivisions and of various private agencies, to the end that the most effective preparation



and use may be made of personnel, resources, and facilities for dealing with any disaster that may occur.

### **Sec. 5-5-2      Emergency Government Commission.**

- (a) **How Constituted.** There is hereby created an Emergency Government Commission composed of the Village President, Police Chief, Fire Chief, Public Works Director, Public Works Supervisor, and Public Safety Representative. The Emergency Government Director shall serve as chairman of the Commission and shall appoint a Commission member as secretary.
- (b) **Duties of Commission.** The Emergency Government Commission shall be an advisory and planning group and shall advise the Village President, Emergency Government Director, and the Village Board on all matters pertaining to civil preparedness. The Emergency Government Commission shall meet upon the call of the Chairman.

### **Sec. 5-5-3      Emergency Government Director.**

- (a) **Appointment.**
  - (1) The office of Emergency Government Director is hereby created. The Director shall be appointed by the Village President, subject to confirmation by the Village Board, for a two (2) year term, and shall receive such salary as may be authorized by the Village Board. He/she take and file an official oath.
  - (2) Deputy and assistant directors may be appointed by the Director, subject to the approval of the Emergency Government Commission, as may be deemed necessary, and such appointees shall receive such compensation as may be determined by the Village Board.
- (b) **Duties and Authority of Director.**
  - (1) The Director shall be the executive head of the Emergency Government Commission and shall have direct responsibility for the organization, administration, and operation of the Emergency Government Commission subject to the direction and control of the Village President and the Village Board. He/she shall coordinate all activities for emergency government within the Village, and shall maintain liaison and cooperate with emergency government agencies and organizations of other political subdivisions and of the state and federal government, and shall participate on county and state emergency government agencies upon request, and shall have such additional authority, duties, and responsibilities as are authorized by this Chapter and as may from time to time be required by the Village Board.
  - (2) The Director shall prepare a comprehensive general plan for the emergency government of the Village and shall present such plan to the Village Board for its

approval. When the Village Board has approved the plan by resolution, all municipal agencies and all emergency government forces of the Village shall perform the duties and functions assigned by the plan as approved. The plan may be modified in like manner.

#### **Sec. 5-5-4 Utilization of Existing Services and Facilities.**

- (a) In preparing and executing the emergency government plan, the Emergency Government Director shall utilize the services, equipment, supplies, and facilities of the existing departments and agencies of the Village to the maximum extent practicable; and the officers and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities to the Director.
- (b) The Police Department, Fire Department, and Public Works Department heads shall have complete control over their respective departments while coordinating with the Emergency Government Director.

#### **Sec. 5-5-5 Emergency Regulations.**

Whenever necessary to meet a civil emergency for which adequate regulations have not been adopted by the Village Board, the Village President, and in his absence, the Emergency Government Director, may by proclamation promulgate and enforce such orders, rules and regulations relating to the conduct of persons and the use of property as shall be necessary to protect the public peace, health and safety, and preserve lives and property and to insure the cooperation necessary in emergency government activities. Such proclamations shall be posted in three (3) public places and may be rescinded by the Village Board by resolution at any time.

#### **Sec. 5-5-6 Mutual Aid Agreements.**

The Emergency Government Director may, subject to the approval of the Village Board, enter into mutual aid agreements with other political subdivisions. Copies of such agreements shall be filed with the State Director of Emergency Government and the Village Administrator.

#### **Sec. 5-5-7 Declaration of Emergencies.**

- (a) Upon the declaration of a state of emergency by the Governor, the Village President, or Emergency Government Director in the absence of the Village President, or by the Police

Chief of his/her designate, or the Fire Chief or his/her designate, shall issue such disaster warnings or alerts as shall be required in the emergency government plan.

- (b) The emergency government organization shall take action in accordance with the emergency government plan only after the declaration of an emergency and the issuance of official disaster warnings. Such state of emergency shall continue until terminated by the issuing authority, provided that any such declaration not issued by the Governor may be terminated at the discretion of the Village President or Emergency Government Director.

### **Sec. 5-5-8 Penalties.**

- (a) No person shall wilfully obstruct, hinder, or delay any member of the emergency government organization in the enforcement of any order, rule, regulation, or plan issued pursuant to this Chapter or do any act forbidden by any order, rule, regulation, or plan issued pursuant to this Chapter.
- (b) Any person who shall violate Subsection (a) above shall be subject to a penalty as provided in Section 1-1-6 of this Code of Ordinances.

## **APPENDIX A**

### **VILLAGE OF BUTLER COMPREHENSIVE EMERGENCY GOVERNMENT PLAN**

#### **TABLE OF STANDARD OPERATING PROCEDURES**

##### **I. Fire Department**

- (a) Before Storm/Incident
- (b) During Storm/Incident
- (c) After Storm/Incident
- (d) Major Medical Emergencies

##### **II. Police Department**

- (a) Before Storm/Incident
- (b) During Storm/Incident
- (c) After Storm/Incident
- (d) General Procedures

##### **III. Department of Public Works**

- (a) Before Storm/Incident
- (b) During Storm Incident
- (c) After Storm/Incident
- (d) Department of Public Works Equipment at Garage

**Appendix A**

**IV. Command Post**

- (a) After Storm/Incident
- (b) Department of Public Works Equipment at Garage
- (c) List of Private Source of Services, Suppliers,  
Materials, Volunteers
- (d) Major Medical Emergencies
- (e) Severe Power Outage
- (f) Flooding
- (g) Evacuation
- (h) Hazardous Materials Incident

## I. FIRE DEPARTMENT

### (a) Before the Storm/Incident

Generally, the Village of Menomonee Falls dispatchers are responsible for communications prior to a tornado or severe weather and they will sound the tornado siren. The following procedure will be implemented:

- (1) When official notification of a tornado warning is received, the Fire Department will monitor communications for notification of tornado sightings and severe weather reports.
- (2) When official notification of a tornado warning has been received, the Fire Department will contact and advise designated officials at their discretion and as needed:
- (3) The Fire Department will sound the tornado and severe weather siren when a tornado warning siren has been activated by the Village of Menomonee Falls Dispatcher.

### (b) During the Storm/Incident

- (1) All personnel of the Fire Department will take every precaution to ensure their safety during the storm.
- (2) All personnel as a secondary goal will take precautions to ensure the safety of Department vehicles and equipment.

### (c) After the Storm/Incident

Generally, the Fire Department's role after the storm is to put out any fires spawned by the storm, and treat and transport injured persons. The following procedure will be observed:

- (1) All firefighters will go directly to the Fire Department and, under the direction of the ranking Fire Department Officer, proceed to the temporary field command set up by the Fire Department.
- (2) The ranking Fire Department Officer will assess the damage in terms of area damaged and injuries and report such to the dispatchers (if police personnel have been unable to do so) and, if needed, call for Fire Department mutual aid assistance.

**Appendix A**

- (3) The ranking Fire Department Officer will appoint someone to set up a treatment area and call for portable hospital equipment and the trauma van.
- (4) The ranking Fire Department Officer should check the policies below for guidelines under "Major Medical Emergencies."
- (5) The Fire Department will put out all fires spawned by the storm.
- (6) The Fire Department will commence search and rescue operations under the following procedures:
  - a. The ranking Fire Department Officer will make an inspection of each building prior to entry to determine the structural soundness of the building. If the ranking Fire Department Officer determines the building to be questionable in any way relating to its structural soundness, firefighters are to go to broken windows or break windows, announce their presence, and listen for sounds of injured persons. If there are signs of injured persons, firefighters may enter the building, but only after direct permission from the ranking Fire Department Officer. Such permission will be granted based upon the extent of structural deterioration and potential safety risks for firefighters.
  - b. If the building appears sound, firefighters will enter the building and conduct a quick search of the living area and basement for injured residents. If possible, firefighters will bring the injured to an open area for treatment and transportation. If, at any time during the search, the structural soundness of the building is questioned, firefighters will leave the building immediately. When the search has been concluded, the ranking Fire Department Officer will mark the door with chalk, indicating that a preliminary search has been completed.
  - c. The preliminary search and rescue will continue until all buildings with possible injured persons in them have been searched.

(d) **Major Medial Emergencies**

- (1) Fire Department personnel will respond to emergencies with necessary Rescue Squad(s) and one backup unit.
- (2) If Fire Department personnel cannot handle the emergency, the dispatchers will notify surrounding communities for mutual aid. They will request necessary personnel, equipment, or both.
- (3) Dispatchers will notify the appropriate hospital:

Community Memorial Hospital	251-1000
Elmbrook Hospital	785-2060
Waukesha Memorial Hospital	544-2267
Milwaukee County General Hospital	257-5717

- (4) Temporary hospitals will be set up in the following locations:

- 1st — St. Agnes
- 2nd — Village Hall
- 3rd — Lions' Building
- 4th — Butler Skateland

Temporary hospital locations shall be determined by the Emergency Government Director or the person he/she designates.

The trauma van will be requested from Milwaukee County General Hospital (257-5525). A portable hospital will be requested from the Waukesha County Emergency Government Director and the Menomonee Falls Emergency Government Director (Fire Department -- 251-1140) will be contacted for hospital equipment.

- (5) If needed, a temporary morgue will be set upon in the following buildings:

- 1st — Community Building
- 2nd — Lions Club
- 3rd — St. Agnes

- (6) Some cots, blankets and pillows are located in the attic of the Village Hall. Any other equipment or materials will be requested from the Waukesha County Emergency Government Director (548-7580).



## II. POLICE DEPARTMENT

### (a) Before the Storm/Incident

Generally, the Police Department's function prior to a tornado or severe storm is to observe for a severe weather occurrence and provide backup to the Fire Department to ensure communications and proper warnings. Specifically, the following procedure will be observed:

- (1) **Purpose.** The purpose of this policy is to provide a coordinated plan of mutual aid for the various departments within the Village of Butler. Protecting life and property when a natural disaster occurs is of paramount importance. The mission of the Butler Police Department, within the Emergency Government Program, is protection of life and property, enforcement of emergency regulations, supervision and control in public shelters, direction of vehicular and pedestrian movement, security of essential facilities, and the maintenance of law and order under all circumstances.
- (2) **Watches/Warnings.** Each Police Officer will be aware of tornado watches and severe weather warnings and will contact the Fire Department dispatcher.
- (3) **Visual Observation.** The Police Officer will visually observe the severe weather and will immediately contact the Village of Menomonee Falls dispatcher when a tornado is sighted or when severe weather conditions present an immediate and significant threat to life or property.
- (4) **Notification.** In the event electrical loss makes it impossible to set off the warning sirens, Police personnel in conjunction with the Fire Department will notify the citizens of the Village through the public address system on the squad cars the following:
  - a. Take cover.
  - b. Disaster is imminent.
  - c. All clear.

### (b) During the Storm/Incident

- (1) All personnel of the Police Department will take every precaution to ensure their safety during the storm.
- (2) All personnel, as a secondary goal, will take precautions to ensure the safety of Department vehicles and equipment.

**Appendix A**

**(c) After the Storm/Incident**

- (1) Each Police Officer will assess damage and will communicate this assessment to the Village of Menomonee Falls dispatcher.
- (2) Each Police Officer will retrieve the equipment in the police squad car trunk. The equipment will include:
  - a. Tags for all official personnel at the scene;
  - b. Flashlights with annually replaced batteries;
  - c. Chalk;
  - d. Paper, pencils, clipboards;
  - e. Tags for personal property; and
  - f. Copies of standard operating procedures.
- (3) The Police Department will make requests to other law enforcement agencies for mutual aid if the initial assessment of damage merits such a request.
- (4) The Police Department will provide tags for all authorized personnel, including residents. The Police Department will escort all non-tagged people from the area after getting their names, addresses, etc.
- (5) The Police Department will instruct the Public Works Department where to place barricades to prevent vehicular traffic into or out of the damaged area, after consultation with the Fire Department ranking officer, and in such a way as to allow access to the damaged area by emergency vehicles.
- (6) The Police Department will collect, tag, and store personal property found in the open or accessible to vandals.
- (7) The Police Department will assist the coroner in setting up a temporary morgue, if needed. Possible locations are:
  - 1st — Community Building
  - 2nd — Lions Club
  - 3rd — St. Agnes
- (8) When other duties are completed and the area is secure, Police Officers are to report to the Emergency Government Director for reassignment.
- (9) Police Officers will write down pertinent data regarding the storm and take photographs.

(d) **Procedures.**

- (1) Each Police Officer will be cognizant of severe weather conditions. Upon noticing such conditions, they will notify the Village of Menomonee Falls Police Department dispatcher of the observations. In the event of a disaster situation, the Emergency Government Director will be notified immediately. In his/her absence, the Village President or Public Safety Chairman will be notified.
- (2) The Officer will immediately try to ascertain the extent and location of injured citizens and/or damaged property.
- (3) A command post will be established by the Emergency Government Director and all personnel shall be signed in.
- (4) All non-uniformed personnel shall be signed in at the command post and issued passes.
- (5) All assignments for law enforcement personnel will be documented.
- (6) Law enforcement personnel will be assigned to traffic and crowd control, establishing evacuation routes, road blocks and critical areas to prevent looting, vandalism, and further damage.
- (7) The command post will also be used as a relief area for personnel.
- (8) The command post will dispatch additional law enforcement personnel and equipment to designated areas.
- (9) The command post will document all information concerning injured, missing and deceased persons.

### III. DEPARTMENT OF PUBLIC WORKS

(a) **Before the Storm/Incident**

The Public Works Supervisor will be notified of the occurrence of the tornado watch or sever storm as provided in Section I(a) of this plan and make the necessary preparations.

(b) **During the Storm/Incident**

- (1) All personnel of the Public Works Department will take every precaution to ensure their safety during the storm.
- (2) All personnel as a secondary goal will take precautions to ensure the safety of Public Works Department vehicles and equipment.

(c) **After the Storm/Incident**

- (1) The Public Works Department will generally be responsible for clearing the way for emergency vehicles to the incident site.
- (2) The Public Works Supervisor will call his/her personnel to report to the Village garage:

	Home	Cell Phone
a. Ken Podewils	781-7568	1-(414)-333-8040
b. Bernard Hearley	781-5032	1-(414)-333-7121
c. Jim Bremberger	1-(262)-644-7037	1-(414)-333-7180

- (3) All vehicles (301, 303, 304, 305) will be made ready for emergency situations:
  - a. Plows installed.
  - b. Shovels and brooms on all vehicles.
  - c. Chain saws, 16" and 20", in trucks.
  - d. Concrete saw.
  - e. Gas and oil for saws.
  - f. Trucks fueled.
  - g. All barricades and cones.
  - h. LeRoy compressor.
- (4) The Public Works Supervisor will be in Truck 302 and report to the command post and pick up badges for personnel.

**Appendix A**

- (5) All trucks will report to the field command post for further direction.
- (6) The Public Works Department will set up road blocks to prevent vehicular traffic at the direction of the field command post.
- (7) The Public Works Department will clear roads of debris, fallen trees, etc., for emergency vehicles.
- (8) The Public Works Department will turn off or repair any utility mains broken to try to restore water to the area.
- (9) When duties are completed, excess personnel will report to the emergency command post for reassignment.

**(d) Department of Public Works Equipment at Garage**

- 2 Ford Dump Trucks, 5 yard capacity
- 1 CAT Wheel Loader, Model 4261T, 3 yard capacity and backhoe
- 1 John Deere Backhoe, Model 9450 SN 048075T
- 1 Ford Pickup Truck, 3/4 ton capacity
- 1 GMC Truck, 1 ton, with 1-1/2 yard dump capacity
- 1 Ford Tractor
- 1 Chain Saw, 20", Gas
- 1 Chain Saw, 16", Gas
- 1 Homelite 3" Trash Pump, 360 gpm, Gas
- 1 Homelite 3" Diaphragm Pump, 80 gpm, Gas
- 1 Stihl TS 400 Concrete Saw, Gas
- 1 A.C. Generator, 3500 watts, 115-230 volts, Gas
- 1 Acetylene Cutting Torch, 20' hose
- 1 Bolt Cutter, 5/16" capacity
- 15 Barricade Lights
- 8 Barricades, 8' long
- 23 Barricades, 4' long
- 60 Barricade Cones
- "x" # Plastic Sand Bags

Sand for filling sand bags will be available at American Asphalt Company, N56 W12929 Silver Spring Road.

## IV. COMMAND POST

### (a) After the Storm/Incident

- (1) As soon as possible after a declaration of emergency has been made as per Section 5-5-7 of the Butler Code of Ordinances, the Emergency Government Director will establish a command post at the Village Hall, or, in its absence, at another place just outside the damaged area.
- (2) The Emergency Government Director will announce the emergency, take command and order that all communications go through the command post. Identification badges for authorized personnel will be available and issued at the command post by the Emergency Government Director.
- (3) The chain of command will be as follows (in effect when an official above is absent):
  - a. Emergency Government Director
  - b. Village Administrator
  - c. Village President
  - d. Chief of Police
  - e. Fire Chief
  - f. Senior Police Officer
- (4) The Emergency Government Director will contact the Village of Menomonee Falls Dispatcher to check that all those outside the Village have been contacted.
- (5) The Emergency Government Director will call the following as needed:

a. Waukesha County Emergency Govt. Director	548-7580
b. Southeastern Wisc. Emergency Director	782-1515
c. Brookfield Building Inspector	796-3790
d. Independent Inspection Assoc. of Wis. (Waukesha)	544-8280
e. Wisconsin Gas Company	291-9399
f. WEPCO	221-3700
g. Diggers Hotline	259-1181
- (6) The Emergency Government Director will appoint someone to keep track of volunteers and their assignment; names of injured and their location; names of dead and their whereabouts; contractors and equipment; and orders given.

**Appendix A**

- (7) The Emergency Government Director will give or permit all official statements and interviews with the media. The Emergency Government Director and other authorities will cooperate with the media as it is important that accurate information is made available.
- (8) The Emergency Government Director will turn matters over to civil authorities as soon as possible after the danger to lives and property has ceased as per Title 5, Chapter 5 of the Butler Code of Ordinances, but the Emergency Government Director will continue to assist as requested by civil authorities.
- (9) The Emergency Government Director will complete a written narrative of all activities from warning to response, including things that went right or wrong, list of contractors utilized and their equipment and personnel, etc.

**(b) Department of Public Works Equipment at Garage**

See Section III(d).

**(c) List of Private Sources of Services, Supplies, Materials, Volunteers**

As of February, 1991, on file are the following signed letters for potential private sources of assistance:

- (1) All-Way Bus Company (buses for emergency transport).
- (2) American Asphalt (sand, gravel, equipment).
- (3) Aring Equipment (equipment).
- (4) Britches Trucking (equipment).
- (5) Lions Club (works and Club building).
- (6) Frick Equipment (equipment).
- (7) Kelbe Brothers (equipment).
- (8) Mid City Plumbing (equipment).
- (9) Snow-Bees Snowmobile Club (transportation).

- (10) St. Agnes (shelter).
- (11) Stark Asphalt (sand, gravel).
- (12) Tews Lime & Cement (sand, gravel).

**(d) Major Medical Emergencies**

See Section I(d).

**(e) Severe Power Outage**

- (1) When a power outage occurs in the Village, Fire Department Dispatchers will notify Wisconsin Electric Power Company at 544-6974.
- (2) Fire Department Dispatchers will then notify the Emergency Government Director, Police Chief, and Village President. They will then decide how severe the situation is.
- (3) Fire Department personnel will connect the mobile generator to the Village Hall, supplying power to the Police Department, Fire Department, and Village Offices.
- (4) Upon authorization from the Fire Chief or such person he/she designates, Fire Department Dispatchers will notify the Waukesha County Emergency Government Director at 544-8163 or 367-6728.
- (5) If there is no response from the County Emergency Government Director, the Dispatchers will notify the Waukesha County Sheriff's Department at 544-8111 and have them notify the County Emergency Government Director.
- (6) If needed, Village officials will request portable generators from the County Emergency Government Director for temporary shelters.

**(f) Flooding**

- (1) The chain of command for calling out personnel and equipment to respond to flooding incidents is:
  - a. Public Works Supervisor
  - b. Public Works Director



**Appendix A**

- (2) In case of flooding in the area of the Menomonee River where roadways would be underwater, the Public Works Department will be ordered not to barricade all roads leading to the flooded area. If industrial buildings would be endangered by flood waters, sandbagging may be required to protect buildings. Bags and sand are readily available; personnel will be supplied by the Public Works Department, the Fire Department, and other volunteers.
- (3) If people are marooned by flooding in buildings in this area, they would be rescued with appropriate vehicles, or by boat (which is available from Elm Grove Fire Department, 13600 W. Juneau Blvd., 781-5885).
- (4) There are no residential properties in this area that would be affected by flooding of the river.

**(g) Evacuation**

- (1) The authority to evacuate the Village of Butler is prescribed in Section 5-5-7 "Declaration of Emergency" of the Butler Code of Ordinances, and is as follows:
  - a. Village President
  - b. Emergency Government Director
  - c. Village Board or one designated Trustee
  - d. Village Administrator
- (2) Responsibility to initiate limited evacuation:
  - a. Chief of Police
  - b. If the Chief of Police is not available:
    1. Lieutenant
    2. Officer on duty. The Fire Chief or officers and members to assist if not needed in the immediate area of the disaster.
    3. In case of a limited evacuation, people in Subsection (g)(1) above will be notified.
- (3) Notification of the public of an evacuation shall occur as follows:
  - a. The Police and Fire Department vehicles will go to the street closest to the disaster, turn on their emergency lights, and announce, "To Evacuate the Area Immediately" because:
    1. Toxic spill
    2. Ammonia leak

3. Radiation leak
4. Railroad spill
5. Other as needed
- b. The area, direction, and route to evacuate will be determined at the time of the announcement:
  1. Wind direction, area in which the disaster takes place, and traffic (especially Hampton Avenue) will be taken into consideration.
  2. All non-emergency personnel will leave the area.
- c. Each street adjacent to the disaster will be notified until an area or the entire Village has been evacuated to a safe distance from the disaster.
- d. Assembly points will be established for people who may get separated.

Example: If going west, Blair's Hardware Lot  
If going south, Pick N Save  
If going north, Enerpac Parking Lot  
If going east, Lovers Lane and Hampton Avenue

(4) Where to obtain necessary resources to evacuate the Village:

- a. All resources in the Village:
  1. All personnel in the Butler Police Department
  2. Fire Department, if available
  3. Department of Public Works
- b. Mutual aide from outside departments:
  1. Waukesha Sheriff's Department
  2. Brookfield Police Department
  3. Menomonee Falls Police Department
  4. Wauwatosa Police Department
  5. Milwaukee Police Department

(5) After the Village has been evacuated, the following steps shall be taken:

- a. Police personnel shall keep out all non-emergency personnel.
- b. Issue passes to unknown emergency personnel.
- c. Set up command post to handle field emergencies and news media.
- d. Give assignments to incoming units.
- e. Give necessary information to emergency operations center.

(6) Available equipment on hand.

- a. Five handie-talkies.
- b. Three radio-equipped squad cars.

**Appendix A**

- c. 200 "No Parking" signs.
- d. Various Public Works equipment.

**(h) Hazardous Materials Incident**

The Fire Department, along with the Butler/Brookfield Haz Mat Team, will control the response to the hazardous materials incident.